



Administrative Policies and Procedures: 31.2

Subject:	Responsibilities Regarding Runaways, Absconders and Escapees
Authority:	TCA 37-1-101; 37-1-119; 37-5-103; 37-5-105; 37-5-106
Standards:	DCS Standards of Professional Practice: 5-602, 5-604; 8-203B, 8-204B, 8-205B, 8-206B; 10-200, 10-201, 10-202, 10-203, 10-204, 10-205, 10-206, 10-207, 10-208, and 10-209; Council of Accreditation (COA): PA-FC 11, PA-FC 12.05, PA-KC 13.05, PA-RTX 6.01, PA-SH 10, PA-SH 11, ASE 7.03c; American Correctional Association (ACA): 3-JCF-3B-15
Application:	To All Department of Children's Services Employees, Foster Parents and Contract Providers/Agencies.

Policy Statement:

The Department of Children's Services (DCS), Foster Parents, and Provider/Contract Agencies will work diligently and cooperatively to discourage children from running away, absconding, or escaping from placements. Child and Family Team Meetings (CFTM) shall be used to discuss precipitating factors of a runaway/escapee and strategies to discourage future episodes.

Purpose:

To address the safety of youth, the community and to provide procedures for the recovery of **Runaways, Absconders or Escapees (RAE)**. (Runaway, Absconder, or Escapee herein will be referred to by the acronym **RAE**.)

Procedures:

A. Reporting	<ol style="list-style-type: none">1. Upon determining if a youth has run away, absconded, or escaped from placement, the Family Service Worker (FSW), foster parent, provider/contract agency staff, or DCS YDC/Group Home staff will <u>immediately</u> contact the local Law Enforcement (LE) Agency and enter the youth's information into the National Crime Information Center (NCIC) and Missing Children of Tennessee (MCOT) data bases.2. Enter a Juvenile Justice (JJ) child as a "<i>Wanted Person</i>;" enter a Social Services (SS) child as a "<i>Missing Person</i>." The reporter will obtain a <i>Wanted/Missing Person Report (W/MPR)</i> and/or the NCIC number from LE. If the individual reporting to LE is not the FSW, s/he will <u>immediately</u>:<ol style="list-style-type: none">a) Call the Regional Absconder Recovery Program Representative (RARPR), FSW, Team Leader (TL) or Team Coordinator (TC) and provide a preliminary report regarding the RAE. If unable to contact any of the aforementioned persons, contact the Program Coordinator or the Deputy Regional Administrator (RA);
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Revision date: 08/01/07

Supersedes: 31.2, 03/01/98; 13.1: Section F,7
CS-0001

	<ul style="list-style-type: none"> b) Notify the parent(s)/legal guardian(s) via telephone; c) Complete form CS-0706, Runaway/Escapsee Checklist. d) Comply with guidelines in the <u>applicable Incident Reporting Manual</u>. e) Provide a copy of the W/MPR and/or the NCIC number to the FSW within one (1) workday. <p>3. Within one (1) workday, the YDC Superintendent (or designee), DCS Group Home Director (or designee) or provider/contract agency will ensure that:</p> <ul style="list-style-type: none"> a) The child's information has been entered into the NCIC/MCOT data bases and that someone has provided a copy of the M/WPR and/or the NCIC number to the FSW. b) Staff completed the Runaway/Escapsee Checklist (CS-0706) and e-mailed it to designated recipients on Page 2 of the form. c) A staff person filed a petition on a SS youth or an attachment/petition on a JJ youth with the court in the county where the child was placed. Also, ensure a copy is faxed to the FSW within one (1) business day of availability from the court. If this court refused filing of the document, contact the appropriate Regional Legal Counsel for assistance. d) Telephone contact about the RAE has been made according to paragraphs A. 2. a) and b) of this policy.
<p>B. Interstate Compact - Juveniles (ICJ)</p>	<ul style="list-style-type: none"> 1. When a FSW is notified a child/youth has been picked up in another state, s/he will notify the applicable Deputy Compact Administrator (DCA) for Interstate Compact - Juveniles (ICJ) in Central Office immediately, but no later than the next business day, via telephone. The DCA will coordinate the return of the custodial child/youth. 2. A youth located in another state will be held until due process is given and the youth signs to voluntarily return to Tennessee. The youth must be afforded due process in front of a Judge and the opportunity to sign ICJ Form III (Consent for Voluntary Return by Runaway, Escapsee or Absconder or Juvenile Charged as Delinquent). Tennessee has five (5) working days to return the youth. These documents must be faxed to the DCA: <ul style="list-style-type: none"> a) Commitment Order b) Escape and/or Runaway Petition c) Attachment/Arrest Order/Pick-up Order 3. If the youth refuses to sign the ICJ Form III, the DCA will notify the FSW to initiate the requisition to return the youth and advise the FSW on documents to provide. 4. If an out-of-state youth is apprehended in Tennessee and DCS is notified, the person notified will obtain all available information and call the DCA and provide:

	<ul style="list-style-type: none"> a) The name and location of the youth. b) Contact person, telephone number, county, and address where child is. c) Available information on where the youth is wanted. <p>5. The DCA will contact the DCS in the state the youth is from to coordinate the return of the youth.</p>
<p>C. FSW investigation and case management of RAEs</p>	<p>1. Investigation: Upon notification of a custodial RAE, the FSW must:</p> <ul style="list-style-type: none"> a) Submit the <i>Runaway/Escaper Checklist (CS-0706)</i> for RAEs from other than a YDC, DCS Group Home, and provider/contract agency. However, the FSW/DCS Staff has the ultimate responsibility for ensuring form <i>CS-0706</i> has been submitted in all RAE cases. Also, comply with A, 2, b) and d) of this policy. b) Conduct a thorough investigation of the child's last known whereabouts: Such investigation must include, but is not limited to, contact with: <ul style="list-style-type: none"> ◆ Contract agency staffs, parents, foster parents, or other caregivers; ◆ Child's friends, school personnel, police, hospitals, clinics, post offices, Utilities Companies, Telephone Companies, Department of Human Services Child Support Offices; and ◆ Other individuals/agencies with which the child/caregiver/family may have had contact. c) Follow-up with staff where the child was placed to ensure the youth has been entered into the NCIC/MCOT. The FSW/DCS Staff has the ultimate responsibility for ensuring a child has been entered into the NCIC/MCOT. d) File the petition/attachment with the <u>committing court</u> and comply with procedures in the <u>applicable Incident Reporting Manual</u>. If this court refuses the filing, contact the Regional Legal Counsel for assistance. e) On a JJ youth, also file a <i>CS-0156, Major Violation Report</i>, with the committing court. f) Obtain copies of the NCIC report/number and petition/attachment for the Runaway/Escaper Packet (R/EP) and the RAE's case file. g) For runaways/absconders from foster homes (including kinship homes), ensure petitions have been filed with the committing court and with the court in the county where the child was placed. When the foster homes are outside of the child's home county, contact regional staff in those counties to assist foster parents with filing petitions. h) Submit the R/EP to the Regional Absconder Recovery Unit Investigator (RARUI) within seven (7) calendar days of receiving notification about the runaway/escape event. i) If the runaway/escape event ends before the packet is due, in lieu of a packet, complete these tasks by the next workday:

	<ul style="list-style-type: none"> ◆ Ensure the checklist has been distributed to designated recipients on Page 2 of the checklist. ◆ E-mail/fax the Absconder Recovery (ARF) (CS-0705) form to the RARUI and to the LE Agency that entered the child into the NCIC/MCOT data bases. <ol style="list-style-type: none"> 2. Resource Parent Support: Assist foster parents with a history of repeat runaways/absconders from their homes in developing/implementing plans to discourage runaways. 3. Whenever the FSW, TL, TC or RARPR receives a tip on the whereabouts of a RAE, s/he will coordinate with LE for assistance in locating and apprehending the child. Persons involved in apprehension efforts will use safety precautions at all times and will not place their lives in danger. 4. Efforts to locate RAEs must be ongoing. The FSW (TL or TC when the FSW is not available) will document those efforts in TNKIDS case recordings within five (5) working days of their occurrence. 5. Case Work Requirements: When a youth absconds from aftercare, custody (including trial home placement), or probation supervision, the FSW will: <ol style="list-style-type: none"> a) Make one (1) unannounced home visit weekly for the first thirty (30) days and monthly thereafter. At first contact with the parent(s)/legal guardian(s), tactfully discuss the laws and punishment for harboring a RAE and obtain their signatures on the Penalty Letter for Harboring, (CS-0749). Fax a copy to the RARUI and file a copy in the youth's case file within three (3) business days. If the youth is at home and does not willingly return to custody, notify LE immediately. b) Place at least two (2) phone calls to the parent(s)/legal guardian(s) each month. If they do not live in the same residence, contact each one separately. c) Conduct a diligent search according to DCS Policy <u>16.48, Conducting a Diligent Search</u>, if the family has moved. d) Not later than the next business day of a probationer absconding from supervision, the FSW shall ensure a petition/attachment has been filed and the youth has been placed in the NCIC data system. e) The TL or TC will conduct bi-weekly (every two weeks) conferences with the FSW and discuss strategies likely to result in apprehension of all outstanding RAEs. The FSW (TL or TC if the FSW is absent) will enter the strategies in TNKIDS case recordings within five (5) workdays. f) Upon apprehension, the FSW will: <ul style="list-style-type: none"> ◆ Convene a CFTM before placement, when possible, to determine how to best meet the child's needs and to discourage future running episodes. If a CFTM is not conducted before placement, the FSW (TL or TC if the FSW is absent) will enter the reason(s) why in TNKIDS case recordings within five (5) workdays of placement.
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	<ul style="list-style-type: none"> ◆ E-mail/fax the <i>Absconder Recovery (ARF) (CS-0705)</i> form to the LE Agency that entered the child into the NCIC/MCOT data bases and to the RARUI not later than the next business day. ◆ Notify the unit responsible for updating the placement screen in TNKIDS not later than the next business day. The unit must update the screen within three (3) business days of notification. ◆ Notify all courts where a petition/attachment was filed the next work day. ◆ When a child transitions to adult hood or the court discharges a youth, the FSW will complete items 5, <i>f</i>, <i>bullets</i> 2, 3, and 4 by the next work day. A SS child transitions to adult hood at age 18; a JJ child at age 19. A youth supervised in Tennessee from another state will transition to adult hood per the sending state's age of majority. ◆ Within three (3) work days of the court discharging a youth, The FSW (TL or TC if the FSW is absent) will update the court screen and will ensure the placement screen in TNKIDS has been updated.
D. Pictures	<ol style="list-style-type: none"> 1. Upon entering DCS custody or probation supervision, the court liaison, FSW, or a person designated by the RA will take a photograph of each child along with any visible distinguishing marks/tattoos. The photograph(s) will be maintained in the child's case file and updated annually. Photographs taken in JPEG Software are acceptable. 2. Current, clear photographs must be included in runaway packets, provided to LE to enable LE to accurately identify a RAE, and used for Endangered Child Alerts.
E. Non-cooperation by LE	<p>Local LE may refuse to accept a M/WPR. When unable to resolve the problem with the local LE, report the refusal to the TBI Missing Children Clearing House at these numbers.</p> <ul style="list-style-type: none"> ◆ 24-hour dispatch and after hours – 615-744-4600 (Local) ◆ 1-800-TBI-FIND (800-824-3463) (Statewide)
F. DCS Office of the Inspector General (OIG), Internal Affairs Absconder Recovery Unit (IAARU)	<ol style="list-style-type: none"> 1. OIG, IAARU Investigators coordinate with regional staff, LE, TBI, and other agencies in locating/apprehending RAEs from DCS custody. Further, these individuals advise and assist individuals on policies and procedures. They also provide training, either by correspondence or in person, upon the request of RA's and the approval of the Assistant Director of Internal Affairs. IAARU Investigators also act as responders to the SIR web application for RAEs from DCS custody. 2. Each RA will appoint at least one RARPR who will be available twenty-four hours (24); seven (7) days per week. IAARU Investigators will contact the representative(s) when:

	<ul style="list-style-type: none"> ◆ A tip on the whereabouts of an absconder is received. ◆ LE has located and apprehended a RAE. ◆ Necessary to communicate about other absconder matters.
G. Additional procedures for providers/contract agencies, youth development centers, and DCS group homes	<ol style="list-style-type: none"> 1. Supervise youth in a manner to prevent or decrease RAEs by: <ol style="list-style-type: none"> a) Maintaining required staff-youth ratio; ensuring staff members do not maltreat youth, and making sure children's needs are met; b) Providing a supportive environment in which each child will be encouraged to stay at placement; c) Ensuring structure and activities are in place; d) Keeping lines of communication open and being aware of runaway clues; e) Conducting CFTM's; Continuing to work towards the permanency goal; f) Taking time to express concerns and allowing youth to do the same; g) Being flexible and adapting rules and activities to meet needs and wants of youth and to encourage them to take responsibility, especially older youth; h) Encouraging youth to communicate with family and participate in peer activities and systems of rewards/consequences; and i) Increasing positive youth-case worker interaction and communication. 2. Implement special security precautions and prepare written procedures or contingency plans on preventing RAEs. 3. Consider children's security needs and document actions taken to prevent RAEs in Individual Program/Treatment Plans and Permanency Plans. 4. In facilities with security devices on doors, windows, etc., inspect them daily to ensure they are working properly. 5. Be alert to a youth running, absconding, or escaping during movement and transportation. Employees are responsible for the youth they supervise. 6. The local police, program employees, or the youth's family may return a youth to the program. Coordinate transportation for the return of the youth. 7. Immediately search local areas for RAEs. Adequate staff must remain at facilities to supervise youth who remain in placement. Discontinue searches when it seems likely that RAEs are no longer in the vicinity of the facility. 8. Youth Development Centers will have local written procedures for escapes; the procedures will be reviewed at least annually and updated if necessary. 10. Children/youth placed in Therapeutic Foster Care will receive Treatment Foster Care Services (TFCS) to meet their needs, to include discouraging them from running away.

Forms	<p><u>BI-0083 TBI Missing Child Report</u></p> <p><u>CS-0156, Violation Report</u></p> <p><u>CS-0496, Serious Incident Report</u></p> <p><u>CS-0706 Absconder Runaway Escapee Checklist</u></p> <p><u>CS-0705 Absconder Recovery</u></p> <p><u>CS-0749 Penalty for Harboring</u></p> <p><i>ICJ Form III, Consent for Voluntary Return by Runaway, Escapee or Absconder or Juvenile Charged as Delinquent</i> (Not a DCS Form; this form can be accessed from the Website: <u>www.ajca.us/documents.php</u>)</p>
Collateral documents:	<p><u>Family Service Worker Absconder Guide</u> (To be posted in a conspicuous location at office or facility)</p> <p><u>Provider Policy Manual</u></p> <p><u>Incident Reporting Manual for YDC's and DCS Group Homes</u></p> <p><u>Incident Reporting Manual for Contract Provider Agencies, Foster Care and Child Protective Services</u></p>